



PLANNING & ZONING COMMISSION

Bethel Municipal Center
1 School Street, Bethel
Connecticut 06801
(203) 794-8578

PLANNING & ZONING COMMISSION MINUTES July 12th, 2016 BETHEL MUNICIPAL CENTER DENIS J RIORDAN – ROOM D 7:00PM

R. Legnard called the meeting to order at 7:00 p.m.

Commission members present: R.Legnard, K.Grant, K.Parsons; J.Lennon, L..Valenti, R. Tibbitts,; S. Deuschle; B. Cavagna, Interim Planning & Zoning Official.

PUBLIC HEARING CONTINUED:

DR. JAMES HATT/LONG MEADOW LANE/SPECIAL PERMIT/REAR LOT

R. Legnard continued the Public Hearing.

Correspondence:

- L. Vasile, Director , Bethel Health Department ,“Review of Plans for Long Meadow Lane” dated 7/12/16 with attachments.
- Deed “Louise M. Houk” Vol. 378, Pg 140
- “Minutes of Bethel Planning and Zoning Meeting of January 14, 1986”
- “Minutes of Bethel Planning and Zoning Commission Meeting of December 10, 1985”
- “Subdivision Map, Long Meadow Lane, Bethel, Connecticut Prepared for Louise Houk” dated 1965”
- ”Briar Cliff Manor, Bethel, CT, Supplemental Plan Rev dated 7/11/16

Representing the applicant were Attorney Peter Olson and Michael Mazzucco, P.C.

Mr. Mazzucco discussed changes to the plan in response to the engineering review by Wright Pierce including revised drainage calculation. Attorney Olson discussed changes in response to the public comment from the meeting on June 28th, 2016.

Those who spoke:

Attorney Neil Marcus
S. Sullivan
David Watnick
T. Dudics
Marie Ann Gajdosik

Cohen & Wolf, P.C. Danbury, CT. on behalf of S. Sullivan
13 Briar Cliff Manor
22 Briar Cliff Manor
29 Long Meadow Lane
Long Meadow Lane

Public Hearing continues to July 26th, 2016.

RECEIVED

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TOWN OF BETHEL
TOWN CLERK

PUBLIC HEARINGS:

COMMISSION/ TEXT AMENDMENT/ MICROBREWERY

R. Legnard opened the public hearing and read the Legal Notice

R. Legnard read the Staff Report by B. Cavagna, Interim Planning & Zoning Official with attachments, dated 7/12/16.

Correspondence:

Letter from R. Schweitzer, 88 South Street, dated 7/12/16

Proposed changes to the Zoning Regulations are the result of discussions during the Transit Oriented Development Planning Process.

Entered into the record "Proposed Zone Text Amendment – Microbrewery"

Those who spoke:

C. Sanzeeni, owner, Broken Symmetry Gastro Pub

Attorney Peter Olson Chestnut Street

B.J. Liberty Grand Street

R. Legnard closed the public hearing.

TEXT AMENDMENT/MAP AMENDMENT/NEIGHBORHOOD SERVICES OVERLAY ZONE

R. Legnard opened the public hearing and read the Legal Notice into the record.

R. Legnard read the Staff Report by B. Cavagna, Interim Planning & Zoning Official, dated 7/12/16.

Correspondence:

"Neighborhood Services Overlay District, Proposed Text Amendment, Sec. 5.9, Neighborhood District Services Overlay District"

Representing this application was Attorney Peter Olson, Land Use & Conservation Counsel, Bethel, CT. Attorney Olson proposed to allow modernization, replacement, alteration and expansion in place of existing non-conforming, commercial neighborhood services such as retail & transportation services.

R. Legnard opened questions to the Commission.

Those who spoke:

B.J. Liberty Grand Street

The public hearing is continued until July 26th, 2016

NEMCO/120-124 PUTNAM PARK ROAD/SITE PLAN/SPECIAL PERMIT

R. Legnard opened the public hearing and read the Legal Notice and the Staff Report by B. Cavagna, Interim Planning & Zoning Official, dated 7/12/16.

Correspondence:

L. Vasile, Director Bethel Health Department Memo "122 & 124 Putnam Park Road" dated July 7/12/16

Attorney Peter Olson representing the applicant, provided the certification of notification to neighboring property owners. Also in attendance representing the application; Matthew Mitchell of NEMCO, LLC; Stephen R. Ulman, Snr Project Engineer, Alfred Benesch & Co. and Ryan S., P.E. of Alfred Benesch Co.

Ryan S. presented the site plan to the Commission. The proposal calls for the replacement of underground storage tanks, construction of a larger convenience store and an area for food prep and consumption. The proposed structure is approx. 2400 s.f. with 5 fuel dispensers. Twenty-three (23) parking spaces are required; twenty-four (24) are proposed. There is a proposed free standing, internally illuminated 16' sign and outdoor lighting.

S. Ulman, Snr Project Engineer, discussed the Traffic Data Report.

Questions by the Commission ensued.

No one spoke

The public hearing is continued until July 26th, 2016.

BUSINESS MEETING:

MINUTES:

Motion By K. Grant, seconded by J. Lennon to accept the Meeting Minutes of June 28th, 2016.
Motion passed unanimously.

INVOICES:

Motion by J. Lennon, seconded by R. Tibbitts to approve payment of 1424.70 to the Danbury News-Times for invoices related to Legal Noticing.
Motion passed unanimously.

NEW BUSINESS:

Motion by J. Lennon, seconded by R. Tibbitts to accept the application for TD & Sons/23 Payne Road/Subdivision/Special Permit, set a public hearing date for September 13th, 2016
And refer the application out to appropriate departments for review.
Motion passed unanimously

Motion by J. Lennon, seconded by K. Grant to accept the application for Hatfield/102 Milwaukee Ave/Accessory Apartment/Special Permit, set a public hearing date for July 26th, 2016 and refer out to appropriate departments for review.

WORKSESSION

J. Lennon recused
S. Deuschle seated for P. Rist
L. Valenti seated for J. Lennon
R. Tibbitts seated for E. Finch

11 HENRY STREET /SITE PLAN/SPECIAL PERMIT/3 FAMILY IN RMO ZONE

Motion by K. Grant, seconded by R. Legnard to approve a site plan special permit to allow construction of a new three (3) family dwelling, and associated site improvements on property located at 11 Henry Street, owned by G & L Carpentry LTD, Assessors Map 15, Block 22, Lot 23, in the RMO Zone with Stipulations.

The Commission has carefully reviewed the application, listened to testimony, engaged the application in a substantive discussion, and has determined the proposed use of the property for residential purposes is in accordance with the zoning regulations and conforms to the special permit criteria outlined in Sec. 8.5.E of the zoning regulations. If constructed as approved, the project will not be a detriment to the health, safety, and welfare of the neighboring properties, the district or the Town of Bethel.

Motion approved unanimously.
J. Lennon seated

COMMISSION/TEXT AMENDMENT/MICROBREWERY

Motion by J. Lennon, seconded by K. Grant to approve the amendment of the following sections of the zoning regulations effective date August 1st, 2016:
Sec. 2.2 Defined Terms; Sec. 4.3 Permitted Use; Sec 4.6 Special Provisions for business/Industry and 6.2 parking

“A microbrewery is defined as a brewery that produces no more than 15,000 barrels of beer a year and has the opportunity to have retail sales and a restaurant on premises. A microbrewery will be permitted in the VC, C, Rte 6, and by Special Permit in the I Zone. A microbrewery will be allowed to apply for a Special Permit for outdoor dining. Parking calculations included. Also a revision to the definition of brewery as a facility for the production of beer, meaning any beverage obtained by the alcoholic fermentation of an infusion or decoction of barley, etc. in drinking water.” A brewery is prohibited but a microbrewery will be allowed.

Motion passed unanimously.

TOD Master Plan

B. Cavagna reported that the TOD Master Plan is progressing.

EverSource line extension Plumtrees Substation Brookfield

B. Cavagna informed the Commission that the Application is before the CT Siting Council and maps are available for viewing in the Planning & Zoning Dep't.

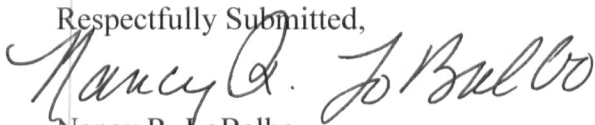
Regulation Conflict and interpretation 6.11.a and 4.3.C.9 Dog Kennel

B. Cavagna requested clarification of regulation regarding Dog Kennels. It was the consensus of the Commission that the keeping of more than 4 dogs in a Residential Zone would require a Special Permit whereas if keeping more than 4 dogs in the IP Zone, no Special Permit will be required.

Motion by J. Lennon, seconded by K. Grant to adjourn at 10:45 p.m.

Motion approved unanimously

Respectfully Submitted,

A handwritten signature in cursive script, reading "Nancy R. LoBalbo". The signature is written in dark ink and is positioned above the printed name and title.

Nancy R. LoBalbo

Recording Secretary